

RECORDING REQUESTED BY

WHEN RECORDED MAIL TO

INTERSTATE TRUSTEE SERVICES CORPORATION  
2730 WASHINGTON MUTUAL TOWER  
1201 THIRD AVENUE  
SEATTLE, WA, 98101

TRUSTEE'S SALE NO: 09-MM-2046

LOAN NO: 49283 CONV

FHA/VA/PMI NO: ASPEN 38259

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by: SHERYL J. WILSON, as grantor, to MOUNTAIN TITLE COMPANY OF KIAMATH COUNTY, as trustee, in favor of FRANCES J. BARKER AND JOHN M. BARKER, NOT AS TENANTS IN COMMON BUT WITH THE RIGHT OF SURVIVORSHIP, OR SURVIVOR, as beneficiary, dated August 30, 1989 recorded August 30, 1989, in the mortgage records of KIAMATH County, Oregon, in Book H39, Page 16321\*\*\*, covering the following described real property situated in said county and state, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

\*\*\*AND AMENDED BY INSTRUMENT RECORDED MAY 11, 1990 IN VOLUME M90, PAGE 9028.

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appointments of a successor-trustee have been made except as recorded in the mortgage records of the county or counties in which the above described real property is situate; further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the said trust deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 86.735(4).

There is a default by the grantor or other person owing an obligation, the performance of which is secured by said trust deed, or by their successor in interest, with respect to provisions therein which authorize sale in the event of default of such provision; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

|                               |                |        |       |    |          |
|-------------------------------|----------------|--------|-------|----|----------|
| Payments:                     |                |        |       |    |          |
| 4                             | payments at \$ | 367.36 | each; | \$ | 1,469.44 |
| 0                             | payments at \$ |        | each; | \$ |          |
| ( 03-30-92 through 07-20-92 ) |                |        |       |    |          |

Late Charges: \$  
Accumulated late charges \$

Beneficiary Advances (with interest if applicable) \$ 120.00

TOTAL: \$ 1,589.44

TOGETHER WITH ANY DEFAULT IN THE PAYMENT OF RECURRING OBLIGATIONS AS THEY BECOME DUE.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following:

UNPAID PRINCIPAL BALANCE OF \$24,561.84, AS OF 02-29-92, PLUS, FROM THAT DATE UNTIL PAID, ACCRUED AND ACCRUING INTEREST AT THE RATE OF 9.000% PER ANNUM, PLUS ANY LATE CHARGES, ESCROW ADVANCES, FORECLOSURE COSTS, TRUSTEE FEES, ATTORNEY FEES, SUMS REQUIRED FOR PROTECTION OF THE PROPERTY AND ADDITIONAL SUMS SECURED BY THE DEED OF TRUST.

Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclose said trust deed by advertisement and sale pursuant to ORS 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the

interest in the said described property which the grantor had, or had the power to convey, at the time of the execution by him of the trust deed, together with any interest the grantor or his successors in interest acquired after the execution of the trust deed, to satisfy the obligations secured by said trust deed and the expenses of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

Said sale will be held at the hour of 10:00 A.M. in accord with the standard of time established by ORS 187.110 on December 10, 1992, at the following place: MAIN ENTRANCE TO THE KLAMATH COUNTY COURTHOUSE, 316 MAIN STREET, KLAMATH FALLS, County of KLAMATH, State of Oregon, which is the hour, date and place last set for said sale.

Other than as shown of record, neither the said beneficiary nor the said trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the trust deed, or of any successor in interest to the grantor or of any lessee or other person in possession of or occupying the property, except:

NAME AND LAST KNOWN ADDRESS      NATURE OF RIGHT, LIEN OR INTEREST

Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: July 20, 1992

INTERSTATE TRUSTEE SERVICES CORPORATION  
Successor Trustee

BY

*Aleta Lavandier*  
ALETA LAVANDIER, PRESIDENT

STATE OF Washington )

) ss.

COUNTY OF KING )

The foregoing instrument was acknowledged before me July 20, 1992, by ALETA LAVANDIER, PRESIDENT of INTERSTATE TRUSTEE SERVICES CORPORATION, A Washington Corporation, on behalf of the corporation.



*Marii Hakkenen*  
Notary Public for Washington  
My commission expires: 11-6-95

## EXHIBIT A:

16447

## EXHIBIT FOR LEGAL DESCRIPTION

LOT 1, BLOCK 1, TRACT NO. 1131, THE WADES, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY OREGON.

EXCEPTING THEREFROM A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY SITUATED IN LOT 1, BLOCK 1 OF TRACT 1131, THE WADES, A RECORDED SUBDIVISION IN KLAMATH COUNTY, OREGON; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, TRACT 1131; THENCE SOUTH 15 DEGREES 06' 55" EAST ALONG THE EASTERLY RIGHT-OF-WAY OF THE BLY-BONINZA COUNTY ROAD, 140.00 FEET; THENCE NORTH 74 DEGREES 53' 05" EAST 125.00 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY OF THE KENO SPRINGS ROAD; THENCE NORTH 56 DEGREES 52' 28" WEST ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE, 187.68 FEET TO THE POINT OF BEGINNING. CONTAINING 0.20 ACRES, MORE OR LESS.

AND INCLUDING 1.980 14' BY 65' KENWOOD MOBILE HOME, #169542, KEY # 67493.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 24th day  
of July A.D., 19 92 at 3:24 o'clock P. M., and duly recorded in Vol. M92,  
of Mortgages on Page 16445.  
Evelyn Biehn County Clerk  
By [Signature]

FEE \$20.00